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Notice of Allowability	Application No.	Applicant(s)	
	10/815,422	COGLITORE ET AL.	
	Examiner	Art Unit	
	Ingrid Wright	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/4/06.
2. ☒ The allowed claim(s) is/are 1,3,4-11,13-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>12/6/05</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


LYNN D. FEILD
PRIMARY EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance: The allowability resides in the overall structure of the device as recited in independent claims 1, 10, 13 & 21 and at least in part, because claim 1 recites: "wherein the first stack and the second stack are positioned such that a partially overlapping portion of the back side of the first stack faces a partially overlapping portion of the back side of the second stack, an exposed portion of the first stack faces the first cooling plenum, and an exposed portion of the second stack faces the second cooling plenum," claim 10 recites: "wherein the computer rack is configured to hold the first stack of computers such that a partially overlapping portion of the first stack of computers faces a partially overlapping portion of the second stack of computers and an exposed portion of the first stack of computers faces the first cooling plenum and an exposed portion of the second stack of computers faces the second cooling plenum," claim 13 recites: "out of an exposed portion of the back of the second computer and into a second cooling plenum or passing cooling air from the second cooling plenum into the second computer," and claim 21 recites: "wherein the first cooling plenum is defined by an exposed portion of the back of the first stack, a first side of the second stack, and the computer rack, and the second cooling plenum is defined by an exposed portion of the back of the second stack, a first side of the first stack, and the computer rack." The aforementioned limitations in combination with all remaining limitations of claims 1, 10, 13 & 21, are believed to render the claims and all independent claims dependent therefrom patentable over the art of record.

US 6496366 B1 to Coglitore et al. is considered to be the closest reference to the present invention disclosed (fig. 5 & 6) disclosed a cooling plenum in between the computer stacks, but

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did not disclose a second cooling plenum defined by an exposed portion of the back of a second stack, a first side of the first stack, and the computer rack.

Therefore, claims 1,3,4-11 & 13-21 are allowed.

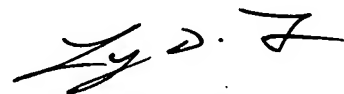
2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571) 272-8392. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IDW



LYNN D. FEILD
PRIMARY EXAMINER